

PRESS RELEASE

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For Immediate Release

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FEDERAL GRAND JURY RETURNS INDICTMENTS

Madison, Wisconsin -- A federal grand jury in the Western District of Wisconsin, sitting in Madison, returned the following indictments today. You are advised that a charge is merely an accusation and that a defendant is presumed innocent until and unless proven guilty.

MINNEAPOLIS MAN CHARGED WITH BANK FRAUD

Brian R. Nelson, DOB 3/30/50, of Minneapolis, Minnesota, is charged with three counts of bank fraud, involving three fraud schemes which artificially inflated accounts opened by the defendant a combined amount of \$360,000. The indictment alleges the following:

From July 3, 2001 through August 7, 2001, Nelson executed a scheme to defraud the Indianhead Credit Union in Grantsburg, Wisconsin, where he maintained two checking accounts, and the Firststar Bank (now US Bank) in St. Paul, Minnesota, where he maintained one checking account. As part of the scheme, the defendant repeatedly caused checks written on one account to be deposited in another account, in such a manner and at such times so as to create the appearance of positive balances in the accounts. These false positive balances resulted in the banks honoring checks drawn against the accounts when there were insufficient funds to cover the checks. By August 7, 2001, the three accounts appeared to have combined positive balances totaling more than \$90,000, when in truth the accounts had combined negative balances exceeding \$140,000.

The second alleged fraud scheme occurred from November 1, 2001 through December 10, 2001, and involved the First American Bank (now Bremer Bank) in Frederic, Wisconsin, and the Ridgedale State Bank in Minneapolis. Nelson maintained one account at each bank and repeatedly caused checks written on one account to be deposited in the other account, in such a manner and at such times so as to create the appearance of positive balances in both accounts. These false positive balances resulted in the banks honoring checks drawn against the accounts when there were insufficient

funds to cover the checks. By December 10, 2001, the two accounts appeared to have combined positive balances totaling more than \$7,000, when in truth the accounts had combined negative balances exceeding \$40,000.

The third alleged fraud scheme occurred from February 1, 2002 through March 8, 2002, and involved the First American Bank (now Bremer Bank) in Frederic, the Ridgedale State Bank in Minneapolis, and the Community National Bank in Lino Lakes, Minnesota. The defendant maintained a checking account at each bank and repeatedly caused checks written on one account to be deposited in another account, in such a manner and at such times so as to create the appearance of positive balances in the accounts. These false positive balances resulted in the banks honoring checks drawn against the accounts when there were insufficient funds to cover the checks. By March 8, 2002, the three accounts appeared to have combined positive balances totaling more than \$21,000, when in truth the accounts had combined negative balances exceeding \$180,000.

If convicted, Nelson faces a maximum penalty of 30 years in federal prison on each count of the indictment. This matter was investigated by the Federal Bureau of Investigation and the Burnett County Sheriff's Department. The prosecution of this case has been assigned to Assistant U.S. Attorney Timothy M. O'Shea.

ALLIED DRIVE RESIDENT INDICTED ON DRUG CHARGE

Dwayne Peebles, DOB 8/29/79, of 2014 Allied Drive, Apartment 1, Madison, Wisconsin, is charged with possession with the intent to distribute crack cocaine. The indictment alleges that he possessed the crack cocaine on July 12, 2006.

If convicted, Peebles faces a maximum penalty of 20 years in federal prison. This matter was investigated by the Madison Police Department, Dane County Narcotics and Gang Task Force, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Drug Enforcement Administration. The prosecution of this case has been assigned to Assistant U.S. Attorney Timothy M. O'Shea.

MADISON MAN CHARGED WITH IDENTITY THEFT

Albino Martinez Chavez, DOB 1/14/85, of Madison, Wisconsin, is charged in a four-count indictment with using a social security number that was not his, possession of a social security card that was produced without lawful authority, one count of using a means of identification of another in relation to a felony offense, and one count of possessing a means of identification of another in relation to a felony offense. The indictment alleges that on November 1, 2001, Chavez, for the purpose of opening a

bank account, falsely represented to the First Federal Bank (now Associated Bank) a social security number that was not his. The indictment further alleges that on August 23, 2005, Chavez possessed a social security card, knowing that such document was produced without lawful authority

If convicted, Chavez faces a maximum penalty of five years in federal prison on the count of using a social security number that was not his, and on the count of possessing a social security card produced without lawful authority. For each of the two counts of using or possessing a means of identification of another person in relation to a felony offense, Chavez faces a mandatory two years in prison, to be served consecutively to any other sentence. This matter was investigated by the Madison Police Department and the Social Security Administration. The prosecution of this case has been assigned to Assistant U.S. Attorney Elizabeth Altman.

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